

REMARKS

Claims 1-18 are pending, claims 1-4, and 6 have been amended, and claims 19-30 have been added. Thus, claims 1-30 remain pending.

Applicant appreciates the Examiner's indication that claims 14-18 have been allowed and that claims 3, 4, 6 and 10 contain allowable subject matter.

Claims 1-2, 5, 7-8, and 13 have been rejected under 35 U.S.C. 102(e) as being anticipated by Fan (U.S. Patent No. 6, 274,917); claim 9 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Fan in view of Clarke (U.S. Patent No. 6,057,538); claim 11 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Fan in view of McLeod (U.S. Patent No. 6,020,985); and claim 12 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Fan in view of Feldman (U.S. Patent No. 5,923,796).

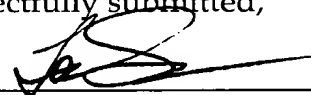
Claim 1 has been amended to recite that the "sensing pixels are formed of multiple pixel layers" and that "at least a portion of said multiple pixel layers is formed over said optical mask layer." This subject matter is in the spirit of that recited in claims 3 and 4, which subject matter has been indicated to be allowable. Claims 1-2, 5, 7-9, and 11-13 each depend from claim 1, and as such, are submitted to be allowable.

Claim 6 has been rewritten in independent form, and new independent claim 25 corresponds with claim 10 rewritten in independent form. New dependent claims 19-24 depend from claim 6 and new claims 25-30 depend from claim 25.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: November 26, 2003

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorney for Applicant